

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
AND VARIANCE		
E/S Eitemiller Road, 190' +/- N	*	DEPUTY ZONING COMMISSIONER
Liberty Road		
2nd Election District	*	OF BALTIMORE COUNTY
2nd Councilmanic District		
(3613 Eitemiller Road)	*	CASE NO. 02-251-XA
Jeffrey K. Jordan	*	
Petitioner		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception and Variance filed by Jeffrey K. Jordan, the owner of the property located at 3613 Eitemiller Road. The special exception request is to approve a Class B Group Child Care Center for more than forty children as a principal use in a D.R. zone pursuant to Section 424 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioner is requesting an exception to the requirements of Section 1B01.1 pursuant to Section 1B01.1.B.g (11) of the B.C.Z.R. In addition to the special exception relief, the Petitioner is also requesting a variance from Section 424.7 of the B.C.Z.R., to permit: a minimum lot size of 0.654 acres in lieu of the one acre required; a side setback of 13 ft. in lieu of the required 50 ft. for the existing house; side buffers of 0 ft. in lieu of the required 20 ft.; a rear setback of 42 ft. in lieu of the required 50 ft. for an addition to the existing house; and a rear buffer of 0 ft. in lieu of the required 20 ft. In addition, the Petitioner is providing parking spaces with direct access to a driveway in lieu of a drive aisle.

Appearing at the hearing on behalf of the requests were Jeffrey and Wendy Jordan, owners of the property, Mitchell Kellman, appearing on behalf of Daft, McCune & Walker, the engineers who prepared the site plan of the property and Deborah Dopkin, attorney at law, representing the Petitioners. Many residents of the surrounding neighborhood appeared in

Date 3/14/02
 By R. J. Jordan

opposition to the Petitioners' request, all of whom signed in on the Protestant's Sign-In Sheet. Mr. Harold Reid appeared on behalf of the Office of Community Conservation.

Testimony and evidence indicated that the property, which is the subject of this request, consists of 0.654 acres, more or less, split-zoned D.R.5.5 and B.R.-CCC. The subject property is improved with a 1 ½ story-brick, single-family residential dwelling and a detached garage. The details of the improvements of the property, as well as the configuration of the lot are more particularly shown on Petitioners' Exhibit No. 1, the site plan submitted into evidence. At the present time, Mr. and Mrs. Jordan reside within this dwelling. Mrs. Jordan is desirous of opening a Class B Group Child Care Center on the subject property. Her original plans were to seek approval for up to 41 children within this child care center. She also originally proposed to construct a substantial addition onto the existing brick home in order to accommodate 41 children in her program. However, at the time of the hearing before me, based on the comment from the Office of Planning and the testimony of the many citizens who appeared in opposition to her request, Mrs. Jordan has modified her request and is now seeking approval of a Class B Group Child Care Center for 20 children. In addition, she does not plan to expand the existing dwelling at this time. In the event Mrs. Jordan intends to expand beyond the 20 children and/or wishes to construct the addition to the house, then an additional public hearing would have to be held in the future in order to entertain such expansion plans. Therefore, at this time, Mrs. Jordan is content to proceed on her petition to approve the use of the property for child care for up to 20 children, utilizing the existing improvements on the property.

In order to accommodate a Group Child Care Center on the property, the existing driveway must be modified. The Petitioner proposes a loop-driveway in the configuration shown on Petitioner's Exhibit No. 1. This would allow parents who drop off children at this facility to drive in and out of Eitemiller Road with the least amount of disturbance to the neighbors and the traffic utilizing this roadway. In addition to the circular driveway proposed on the plan, the

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Date 3/14/62
By J. P. Jamison

Petitioner is also proposing to install some parking spaces off of the driveway to accommodate any parent who needs to remain on the property for an extended period of time. There is a sufficient amount of paving situated between the existing dwelling and the framed garage upon which Mrs. Jordan may park her personal vehicle. Any employee that she has working with her may also park their car on this paved area. The owner and employee parking situated behind the dwelling will not interfere or impede with the free flow of traffic in and out of this property. In addition to the installation of the circular drive, the Petitioner should also widen Eitemiller Road in the area in front of the circular driveway. This would provide additional paving for vehicles traveling in opposite directions on Eitemiller Road to pass one another. This small amount of widening, perhaps 3 ft. or 4 ft., will help to mitigate any traffic congestion that might occur at this location.

The special exception request is necessary given that Mrs. Jordan proposes to provide care for up to 20 children on her property at this time. In addition, in order to operate the group child care center on the property, the variance requests are necessary, given that the size of this property does not satisfy the one acre minimum requirement. Variance relief is also necessary in that she wishes to operate the child care center within the existing dwelling which is situated only 13 ft. from the side property line. Furthermore, Mrs. Jordan proposes to provide a board on board fence along the side property line to the south and along the rear property line abutting the public car wash which is situated to the rear of this property. However, it should be noted that the Petitioners intend to respect the 20 ft. side yard setback for the fence along the common property line shared with their neighbor to the north. While the existing house infringes on this setback requirement, the fence proposed to be installed along that property line will respect the 20 ft. setback, thereby providing a necessary buffer strip between this use and the adjacent residential property.

RECEIVED
3/4/02
R. Jamison

As stated previously, many residents of the surrounding neighborhood appeared in opposition to the Petitioners' request. A great deal of the opposition centered around the proposal to construct a large addition to the rear of the existing home and to provide care for more than 41 children on the property. The Petitioners' agreement to scale down her proposal to provide care for only 20 children at this time and to forego the construction of any additions to the house did help to alleviate some of the fears of the residents in attendance. However, there still remains some opposition to the Petitioners' revised request. The residents who live in this community are concerned that the use of the property by the Petitioner for child care will cause traffic congestion on this narrow residential street. Many residents are concerned that motorists currently have a difficult time passing one another, especially when cars are parked on the shoulder of the road. The additional traffic coming and going to the Jordan property, in the opinion of these residents, will exacerbate this traffic problem. Furthermore, some residents were concerned that the noise generated by vehicles coming and going to the property would have a detrimental impact on their homes.

After considering the testimony and evidence offered in support and in opposition to the Petitioners' request and based on my site visit to the property, I find that the special exception and variances should be granted in order to allow the Petitioner to operate a group child care center for no more than 20 children on the property. In addition, the Petitioner shall not be permitted to construct any addition to the existing single-family residential dwelling at this time. The only improvements which shall be permitted to occur on the property shall be the installation of the circular driveway, in order to accommodate the free flow of traffic in and out of the property. The Petitioner shall be required to set aside an area for parking spaces as shown on the plan. However, that area for parking shall remain in its natural grassy state. It shall not be necessary for the Petitioner to pave those parking spaces with macadam, given the limited

amount of time those spaces will be used. Not requiring those parking spaces to be paved with macadam should help to maintain the residential appearance of the property.

Based on the testimony and evidence offered at the hearing, I find that an exception to the requirements of Section 1B01.1 of the Baltimore County Zoning Regulations is not appropriate given that the Petitioner does not satisfy the bulk standards of Section 424.7. Therefore, it is appropriate for the Petitioner to seek special exception relief in order to accommodate the 20 children on the property.

It is clear the Baltimore County Zoning Regulations permits the Petitioners' use in a DR 3.5 zone by special exception. It is equally clear that the proposed use is not detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which shows that the use meets the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. The Petitioner has shown that the use will be conducted without real detriment to the neighborhood and does not adversely affect the public interest. The facts and circumstances do not show that the use at this particular location described by Petitioners' Exhibit No. 1 has any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The use is not detrimental to the health, safety, or general welfare of the locality, nor tends to create congestion in roads, streets, or alleys therein, nor is it inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

As stated previously, the Petitioner requested variance relief in order to accommodate the group child care use on this property. However, in reviewing the variance request, it is not

necessary for the Petitioner to be granted a rear yard setback of 42 ft. in lieu of the required 50 ft. which was to accommodate the addition to the existing single-family home. There are no plans at this time to construct such an addition and, therefore, the variance request to allow a rear yard setback of 42 ft. in lieu of 50 ft. shall be dismissed. All other variances requested by the Petitioner are necessary in order to accommodate the Petitioner's use. Accordingly, they shall be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioner and her property. McLean v. Soley, 270 Md. 208 (1973).

To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

THEREFORE, IT IS ORDERED this 14th day of March, 2002, by this Deputy Zoning Commissioner, that the Special Exception to approve a Class B Group Child Care Center for no

ORDER 3/14/02
3/14/02
J. R. Gannon

more than 20 children in a D.R. zone, pursuant to Section 424 of the B.C.Z.R., shall be GRANTED.

IT IS FURTHER ORDERED, that an exception to the requirements of Section 1B01.1 is NOT APPROVED, which necessitates the granting of the special exception herein.

IT IS FURTHER ORDERED, that the variance request to permit a lot size of 0.654 acres in lieu of the one acre minimum; a side yard setback of 13 ft. in lieu of the required 50 ft. for the existing house; side buffers of 0- ft. in lieu of the required 20 ft.; and a rear buffer of 0 ft. in lieu of the required 20 ft., be and are hereby GRANTED. Furthermore, a variance to allow parking spaces with direct access to a driveway in lieu of an aisle and to allow those spaces to be unpaved shall be GRANTED. The variance to allow a rear yard setback of 42 ft. in lieu of the required 50 ft. for an addition shall be DISMISSED.

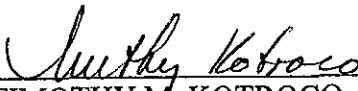
IT IS FURTHER ORDERED, that the granting of the special exception relief and variances shall be conditioned upon the following conditions and restrictions:

1. Prior to opening a child care center on the subject property, the Petitioner shall be required to install the circular driveway and the pull off parking spaces associated therewith as represented on the site plan submitted into evidence.
2. The Petitioner shall be required to widen Eitemiller Road between the driveway entrance and exit. This additional paving shall assist automobiles in passing one another on Eitemiller Road in front of the Petitioner's property.
3. The Petitioner shall be prohibited from parking any vehicles associated with the group child care use on Eitemiller Road.
4. The Petitioner, as well as any employees who work at the group child care center, shall park their automobiles on the paved area situated between the dwelling and the garage. This will keep those vehicles from interfering with the free flow of traffic around this circular driveway.
5. All parents dropping off their children at this child care facility shall be required to turn right on Eitemiller Road when existing the Petitioner's property. This will cause those motorists to utilize Church Lane and Milford Mill Road in order to get back onto Liberty Road. This will also help to eliminate congestion at the intersection of Eitemiller and Liberty Road.


CHURCH LANE
DECEMBER 13/14/12
R. J. J. J.

IT IS FURTHER ORDERED, that the Petitioner shall not expand beyond the permitted 20 children unless a public hearing is held to entertain the appropriateness of such an expansion. Furthermore, no addition shall be constructed onto the existing single-family dwelling in furtherance of any plans to expand the child care center. Furthermore, the granting of the special exception herein shall be restricted so as to apply to this Petitioner, Wendy Jordan, for so long as she continues to operate this group child care center. In the event this property is sold or a new operator of the child care center shall be found, then a new special exception hearing must be held in order to entertain the appropriateness of the next operator.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

OFFICE OF THE ZONING COMMISSIONER
BALTIMORE COUNTY
3/19/02




Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

March 14, 2002

Deborah C. Dopkin, Esquire
c/o Deborah C. Dopkin, P.A.
409 Washington Avenue, Suite 920
Towson, Maryland 21204

RE: Petitions for Special Exception & Variance
Case No. 02-251-XA
Property: 3613 Eitemiller Road

Dear Ms. Dopkin:

Enclosed please find the decision rendered in the above-captioned case. The Petitions for Special Exception and Variance have been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Office of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, reading "Timothy M. Kotroco". The signature is written in a cursive style.

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Copies to:

Mr. & Mrs. Jeffrey K. Jordan
3613 Eitemiller Road
Baltimore, MD 21244

Mr. Mitch Kellman
c/o Daft, McCune & Walker
200 E. Pennsylvania Avenue
Towson, MD 21204

Mr. Bruce Brown
8130 Liberty Road
Baltimore, MD 21244

Mr. Lee D. Caplan
8134 Liberty Road
Baltimore, MD 21244

Mr. Paul Dorsey
9511 Old Court Road
Baltimore, MD 21244

Ms. Shirley Dorsey
3615 Eitemiller Road
Baltimore, MD 21244

Ms. Hilda Klohr
3617 Eitemiller Road
Baltimore, MD 21244

Mr. Harold G. Reid
Office of Community Conservation

Ms. Margaret Redman
3612 Eitemiller Road
Baltimore, MD 21244

George W. Harrison, Jr.
3616 Eitemiller Road
Baltimore, MD 21244

Mr. Bill Obrecht
2415 Poplar Drive
Baltimore, MD 21207

Ms. Madaline G. Murfree
3637 Eitemiller Road
Baltimore, MD 21244

Mr. James A. Harris
3614 Eitemiller Road
Baltimore, MD 21244

Mr. Glenn Cunningham
8567 Morven Road
Baltimore, MD 21234

Ms. Zakia Gaylord
6 Panacea Court
Baltimore, MD 21208



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 3613 Eitemiller Road
which is presently zoned DR5.5&BR-CCC

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, leg-
owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto an-
made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use th
herein described property for

A Class B group child care center for more than forty children as a
principal use in a DR zone pursuant to BCZR Section 424; and an
exception to the requirements of Section 1B01.1 pursuant to Section
1B01.1.B.g(11).

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by th
zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of
perjury, that I/we are the legal owner(s) of the property which
is the subject of this Petition.

Contract Purchaser/Lessee:

Wendy Jordan

Name - Type or Print

Signature

3613 Eitemiller Road

Address

Telephone No.

Baltimore, Maryland

21244

City

State

Zip Code

Attorney For Petitioner:

Deborah C. Dopkin

Name - Type or Print

Signature

DEBORAH C. DOPKIN, P.A.

Company

409 Washington Avenue, Suite920 410-494-8080

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

Legal Owner(s):

Jeffrey K. Jordan

Name - Type or Print

Signature

Name - Type or Print

Signature

3613 Eitemiller Road

Address

Telephone No.

Baltimore, Maryland

21244

City

State

Zip Code

Representative to be Contacted:

Deborah C. Dopkin

Name

409 Washington Avenue, Suite920 410-494-8080

Address

Telephone No.

Towson, Maryland

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

RDD

Date

12/12/01

Case No. 02-251-XA

REV 09/15/98



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3613 Eitemiller Road

which is presently zoned DR5.5 & BR-CCC

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 424.7 to permit a lot size of 0.654 Ac. in lieu of 1.011 Acres; a side setback of 13 ft. in lieu of 50 feet; ^{house} side buffers of 0 ft. in lieu of 20 ft.; rear setback of 42 ft. in lieu of 50 ft.; ^{addition} a rear buffer of 0 ft. in lieu of 20 ft.; parking spaces with direct access to a driveway in lieu of an aisle

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract/Purchaser/Lessee:

Wendy Jordan
Name - Type or Print
Wendy Jordan
Signature
3613 Eitemiller Road
Address
Baltimore, Maryland 21244
City State Zip Code

Attorney For Petitioner:

Deborah C. Dopkin
Name - Type or Print
Deborah C. Dopkin
Signature
DEBORAH C. DOPKIN, P.A.
Company
409 Washington Avenue, Suite 920 410-494-8080
Address
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

Jeffrey K. Jordan
Name - Type or Print
Jeffrey K. Jordan
Signature
JEFFREY K. JORDAN
Name - Type or Print
Jeffrey K. Jordan
Signature
3613 Eitemiller Road
Address
Baltimore, Maryland 21244
City State Zip Code

Representative to be Contacted:

Deborah C. Dopkin
Name
409 Washington Avenue, Suite 920 410-494-8080
Address
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By RJD Date 12/12/01

Case No. 02-251-XA

Description

**To Accompany Petition for Zoning Variance
and Special Exception and/or Variance**

0.654 Acre Parcel

Southeast Side of Eitemiller Road, Northeast of Liberty Road

Second Election District, Baltimore County, Maryland



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same on the northwest side of Eitemiller Road at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Eitemiller Road with the centerline of Liberty Road (1) Northeasterly along said centerline of Eitemiller Road 190 feet, more or less, and thence (2) Southeasterly 15 feet, more or less, to the point of beginning, thence leaving said beginning point and binding on the southeast side of Eitemiller Road, (1) Northeasterly 150 feet, thence leaving said southeasterly side of Eitemiller Road, (2) Southeasterly 190 feet, more or less, thence (3) Southwesterly 150 feet, thence, (4) Northwesterly 190 feet, more or less to the point of beginning; containing 0.654 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

November 5, 2001

Project 01072 (L01072)



2nd ED

2nd CD

Item # 251

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 08193

DATE 12/12/01 ACCOUNT 001 006 6 50

AMOUNT \$ 550⁰⁰

RECEIVED
FROM: _____

FOR: Spec. Ex. 300) and Var 19250)

550 total (asc #02-251-XA)

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
12/13/2001	12/12/2001	14:03:54
RIG W303	CASHIER RDS LRD	DRAWER 3
> RECEIPT # 231507		OFLN
Dept	5 528 ZONING VERIFICATION	
CP NO.	008193	

Recpt Tot 550.00
550.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-251-XA

3613 Eitemiller Road

E/S Eitemiller Road, 190' +/- N Liberty Road

2nd Election District ~~2nd Councilmanic District~~

Legal Owner(s): Jeffrey K. Jordan

Contract Purchaser: Wendy Jordan

Special Exception and Variance: to use the group child care center for more than forty children as a principal use in a DR zone pursuant to BCZR Section 424; and an exception to the requirements of Section 1B01.1 pursuant to Section 1B01, 1B.g(11).

Hearing: Tuesday, March 5, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2). For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/2/7/19 Feb. 19

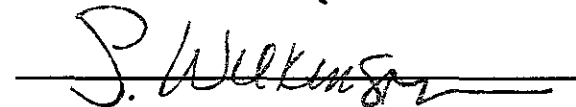
6521504

CERTIFICATE OF PUBLICATION

2/21, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/19, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News



LEGAL ADVERTISING

3/5

CERTIFICATE OF POSTING

# of pages	1
Date	2/18/02
From	OVER
To	ROBIN BETTY
Co./Dept.	ZONING COMM.
Phone #	887-4386
Fax #	887-3468
	54E 324-4130

RE Case No.: 02-251-XA

Petitioner/Developer: DAY CARE, ETAL
MITCH KELLMAN

Date of Hearing/Closing: 3/5/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #3613 EITEMILLER RD.
2-516NS

The sign(s) were posted on

2/18/02

(Month, Day, Year)

Sincerely,

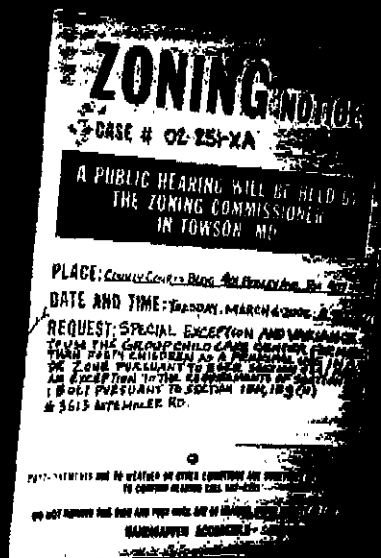
Patrick M. O'Keefe 2/19/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)



CERTIFICATE OF POSTING

RE: Case No.: 02-251-XA

Petitioner/Developer: JORDAN, ETAL
DMW / MITCH KELLMAN

Date of Hearing/Closing: 3/5/02

**FIXED
CLARIFIED**

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111,
111 West Chesapeake Avenue
Towson, MD 21204

Attention Ms. Gwendolyn Stephens / GEORGE ZAYNER

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #3613 EITEMILLER RD.

The sign(s) were posted on 2/18/02 - FIXED.
(Month, Day, Year)

Sincerely,

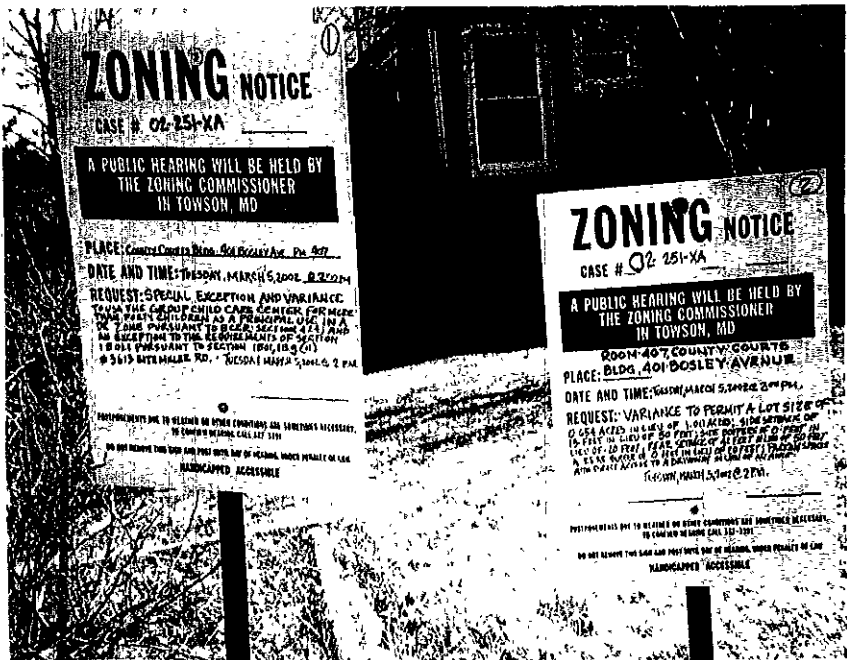
Patrick M. O'Keefe 2/19/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21036
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-85
(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 251
02-215 XA
Petitioner: WINDY & JEFFREY JORDAN
Address or Location: 3613 EITEMILLER RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: DEBORAH C. DOPKIN, ESQ
Address: 409 WASHINGTON AVE ST 920
TOWSON, MD 21204

Telephone Number: 410 494 8080

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 19, 2002 Issue – Jeffersonian

Please forward billing to:

Deborah C Dopkin Esquire
409 Washington Avenue
Suite 920
Towson MD 21204

410 494-8080

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-251-XA
3613 Eitemiller Road
E/S Eitemiller Road, 190' +/- N Liberty Road
2nd Election District – 2nd Councilmanic District
Legal Owner Jeffrey K Jordan
Contract Purchaser: Wendy Jordan

Special Exception and Variance to use the group child care center for more than forty children as a principal use in a DR zone pursuant to BCZR Section 424; and an exception to the requirements of Section 1B01.1 pursuant to Section 1B01, 1B.g(11).

HEARING: Tuesday, March 5, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT *LS*
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 29, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-251-XA
3613 Eitemiller Road
E/S Eitemiller Road, 190' +/- N Liberty Road
2nd Election District -- 2nd Councilmanic District
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Special Exception and Variance to use the group child care center for more than forty children as a principal use in a DR zone pursuant to BCZR Section 424: and an exception to the requirements of Section 1B01.1 pursuant to Section 1B01, 1B.g(11).

HEARING: Tuesday, March 5, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon CDT
Director

C: Deborah C Dopkin, 409 Washington Avenue, Suite 920, Towson 21204
Jeffrey K Jordan, 3613 Eitemiller Road, Baltimore 21244
Wendy Jordan, 3613 Eitemiller Road, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 18, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 1, 2002

Deborah C Dopkin
409 Washington Avenue
Suite 920
Towson MD 21204

Dear Ms. Dopkin:

RE: Case Number: 02-251-XA, 3613 Eitemiller Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 12, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. 602
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Jeffrey K Jordan, 3713 Eitemiller Road, Baltimore 21244
People's Counsel

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: February 21, 2002

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for January 22, 2002
Item No. 251

The Bureau of Development Plans Review has reviewed the subject zoning item.

Eitemiller Road is an existing road which shall ultimately be improved as a 30-foot street cross section on a 50-foot right-of-way.

The developer's responsibilities along the existing road frontage of the subdivision shall be as follows:

The construction of combination curb and gutter in its ultimate location and a maximum of 28.5 feet of paving adjacent thereto along the frontage of the property. The paving thickness shall conform with Baltimore County standards.

Driveways shall be constructed in accordance with Baltimore County standards with depressed curb and 7-inch concrete aprons within the right-of-way.

Sidewalks are required along the frontage of the existing road. The walks shall be 4 foot wide and shall be installed to conform with Baltimore County standards.

The proposed traffic flow must be reversed and the parking spaces must be "angled" to meet the "one-way" parking requirements.

RWB:HJO:cab

cc: File

ZAC-1-22-2002-ITEM NO 251-02212002



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 23, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: Wendy Jordan - 251
Kenneth C. Jones - 255

Location: DISTRIBUTION MEETING OF January 14 2002

Item No.: 251, 255,

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: Todd Taylor *TJ*

DATE: February 13, 2002

SUBJECT: NO COMMENTS FOR ZONING ITEMS:

78, 243, 244, 245, 247, 249, 251, 253, 254, 257, 259

Zoning Advisory Committee Meeting of January 14, 2002

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: March 4, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 3613 Eitemiller Road

INFORMATION:

Item Number: 02-251
Petitioner: Deborah C. Dopkin
Zoning: DR 5.5, BR-CCC
Requested Action: Special Exception, Variance

REQUEST:

The request in this case is for a special exception to allow a class B group child care center for more than forty children as a principal use in a DR zone, and for a variance of the following sections of the BCZR: 424.7 to permit a lot size of 0.654 acres in lieu of 1.0 acres, a side setback of 13 feet in lieu of 50 feet; a rear buffer of 0 feet in lieu of 20 feet, and parking spaces with direct access to a driveway in lieu of an aisle.

The subject property is zoned DR 5.5 and BR-CCC. The one and one half (1½) story detached structure was originally constructed as a single-family residential dwelling and is currently being used as such. It is adjacent to other single-family dwellings to the west and north, and to commercial land use consisting of the Liberty Road Animal Hospital, to the south and east. The applicants propose to cease the residential use of the property and use it solely for a Class B child care facility. They also propose to physically improve the property by razing an existing garage, adding a rear building addition to the primary dwelling, constructing a 15 foot wide U-shaped driveway with 10 parking spaces for drop off and pick up of children, and construction of a new fence for the future outdoor play area.

MAR 4

SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends the following conditions be contained in the hearing officer's order, should this request be approved:

1. In order to alleviate potential traffic problems and overflow parking on the adjacent properties, the new driveway and parking area shall be constructed prior to the opening of the center.
2. The points of ingress and egress as shown on the site plan shall be reversed to improve traffic circulation, especially at peak times.
3. The capacity of the center should be phased, beginning with a maximum of twenty children to be housed only in the existing structure.
4. The applicant should be required to apply for permission to build the rear addition separately. Prior to the issuance of any building permits for the proposed rear addition, building elevation drawings and a landscape plan shall be submitted to this office for review and approval.

Prepared by: Maeh A. Cunniff

Section Chief Lynne Lenahan

AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 1.18.62

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 251 RDD

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

lv Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
3613 Eitemiller Road, E/S Eitemiller Rd,
190' +/- N of Liberty Rd
2nd Election District, 2nd Councilmanic


Legal Owner: Jeffrey K. Jordan
Lessee: Wendy Jordan
Petitioner(s)


* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-251-XA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of January, 2002 a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esq., 409 Washington Avenue, Suite 920, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

#02-251-XD
3/5/02 Hearing

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

Harold S. R. J.

ADDRESS

Office of Community Conservation

02-251-XA
3/5/02 hearing

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Jeffrey K Loxton

3613 51st Ave NW

Windy A Loxton

" "

Deborah Dopkin

409 Washington Ave NW

White Kellman

200 E. Pennsylvania Ave



Case Number #02-251-XA
3/5/02 Hearing

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
BRUCE BROWN	8130 Liberty Rd	BALTO MD	21244
LEED. CAPLAN	8134 Liberty Rd	Balto. MD	21244
PAUL DORSEY	9511 OLD COURT RD 2000	BALTO. MD	21244
Shirley Dorsey	3615 Eitemiller Rd.	Balto. MD	21244
KILLD# KHCHR	3617 EITEMILLER RD.	BALTO. MD.	21244
Margaret Bedmon	3612 Eitemiller Rd	Balt MD	21244
George W. Harmon	3616 Eitemiller R	Balto MD	21244
Bill Obrecht	2415 Poplar Dr	Balti. MD	21207
Kadelin J. Murphy	3637 Eitemiller	Balt MD	21244
JAMES A. HARRIS	3614 Eitemiller Rd.	21244	21244
GLENN CUNNINGHAM	8567 MORVEN Rd.	Balto MD	21234
Zakia Gayford	6 Panacea Ct	Pikesville, MD	21208

MITCHELL J. KELLMAN
3907 Esgarth Way
Owings Mills, Maryland 21117
(H) 410-998-9118 (W) 410-296-3333

Education and Associations:

High School Diploma, 1978, Milford Mill Sr. High School, Baltimore, Maryland. Bachelors Degree, Geography and Environmental Planning, Concentration in Urban Planning, 1983, Towson State University, Towson, Maryland. Masters Degree, Geography and Environmental Planning, Concentration in Urban Planning, Proficiency Certificate in Urban Planning, 1987, Towson State University. Member of Gamma Theta Epsilon (International Geographic Honor Society), 1985-1987. Member of American Planning Association, Present.

Work Experience:

Daft-McCune-Walker, Inc.

Zoning Specialist

August 2000
to
Present

Responsibilities: Testify at Zoning and Development Hearings within Baltimore County and other jurisdictions. Process Final Development Plans and Record Plats. Represent Company at Development Review Committee Meetings. Advise clients and staff on Zoning and Development Regulations. Manage projects that are Zoning Variance, Special Hearing, Special Exception, and Zoning Reclassification Requests.

January 1988
to
August 2000

Baltimore County Office of Permits and Development Management – Development Control (formerly Baltimore County Zoning Office), Towson, Maryland.

Planner II (January 1989 to Present)

Planning and Zoning Associate III (January 1988 to January 1989)

Responsibilities: Review, approve and sign on behalf of the Director Final Development Plans and Record Plats, in accordance with Baltimore County Zoning and Subdivision Regulations and County Review Group standards and comments. Approve County Review Group plans per Zoning Office compliance. Act as Zoning Office representative for Development Review Committee (DRC). Supervise Planning Associate II's and III's on special projects. Review petitions and site plans filed for zoning hearing approvals. Develop guidelines and checklists for approval procedures within Zoning Office. Operate computer terminal for final permit processing and approval. Meet with professionals and public on development projects to be approved by the County. Meet with other Baltimore County agencies on various projects. Act as Office representative at Economic Development meetings for special projects. Negotiate timelines with developers and engineers for select projects and act as "team leader" and project manager by supervising review staff to assure compliance and deadlines are met. Act as office coordinator on building permit intake for all work within tidal and non-tidal floodplains. Coordinate with the State on possible floodplain violations. Advise the public and other County agencies on State floodplain regulations and building codes. Revise the Zoning Commissioner's Policy Manual (ZCPM).

January 1987
to
January 1988

Baltimore County Office of Planning and Zoning

Planning and Zoning Associate II

Responsibilities: Assist the public with current zoning regulations and permit processing and approval. Review miscellaneous commercial site plans and permits for approval. Research previous zoning hearing cases for relating, pending permit applications. Approve new dwelling permits and minor residential permits for final approval.

January 1984
to
May 1986

State Highway Administration, Baltimore, Maryland

Planning Technician

Responsibilities: Data input and cost analysis for the Consolidated Transportation Program (CTP) and Interstate Cost Estimate (ICE). Review computer printouts for construction, planning and engineering costs for the aforementioned projects. Light drafting and engineering. Attend meetings with supervisor and computer programmer on ways to improve existing programs and implement new ones.

Additional Education and Training:

Community Relations Seminar – 10 hours, State Highway Administration, May, 1985
Project Management Seminar – 7 hours, Baltimore County permits and Licenses, April, 1994
Floodplain Management – 14 hours, FEMA, September, 1994
Forest Buffer Seminar – 2 hours, Daft-McCune-Walker, Inc., December, 2001

LIBERTY ROAD COMMUNITY COUNCIL

P.O. Box 31617
Baltimore, Maryland 21207

The Liberty Road Community Council has been informed that a hearing for a zoning request for a Group Child Care Center at 3613 Eitemiller Rd. has been scheduled for 2:00 p.m., March 5th in Room 407, 401 Bosley Avenue.

The request is to permit a lot size of 0.654 acres instead of 1.011 acres for the more than 40 children for the proposed group child care center. It also requests a side setback of 13 feet instead of 50 feet; side buffers of 0 feet instead of 20 feet; a rear setback of 42 feet instead of 50 feet; a rear buffer of 0 feet instead of 20 feet; and parking spaces with direct access to a driveway instead of an aisle. A copy of proposed site is included on the other side.

The Liberty Road Liberty Community Council would like to hear your thoughts on the proposed child care center. Is there a need for day care in the area? Should the request for a larger center than the regulations permit be approved? Please call 410-944-5239 Sunday or Monday evening to express your views.

You may also express your views by attending the hearing. (Case # 02-251-XA)

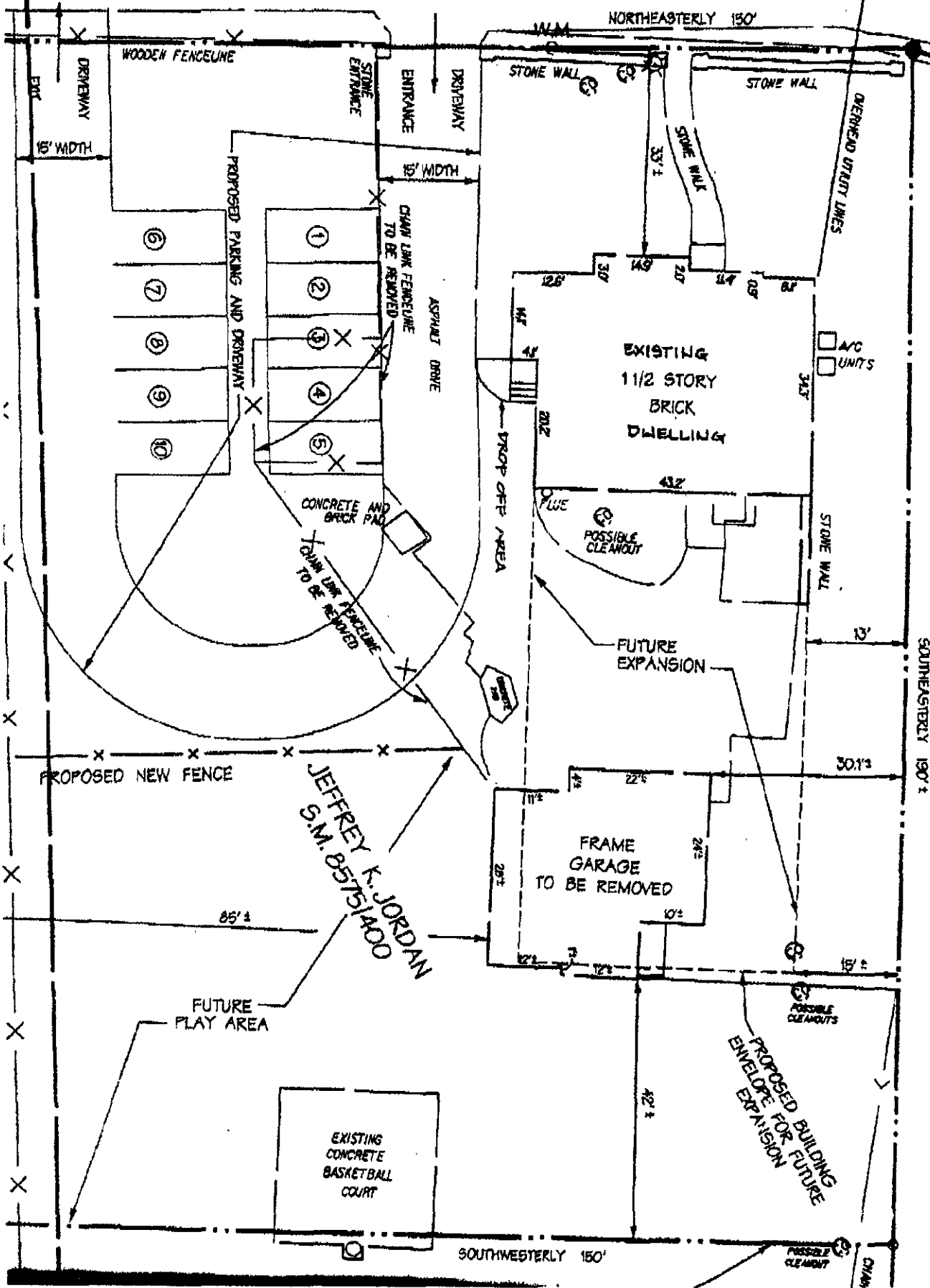
The Liberty Road Community Council meets the second Tuesday of every month at 7:30 p.m. at the Golden Dragon Inn, 8109 Liberty Road. The next meeting is March 12, 2002.

EITEMILLER ROAD

EITEMILLER ROAD

30' R/W

NORTHEASTERLY 150'



LIBERTY ROAD COMMUNITY COUNCIL

P.O. Box 31617
Baltimore, Maryland 21207

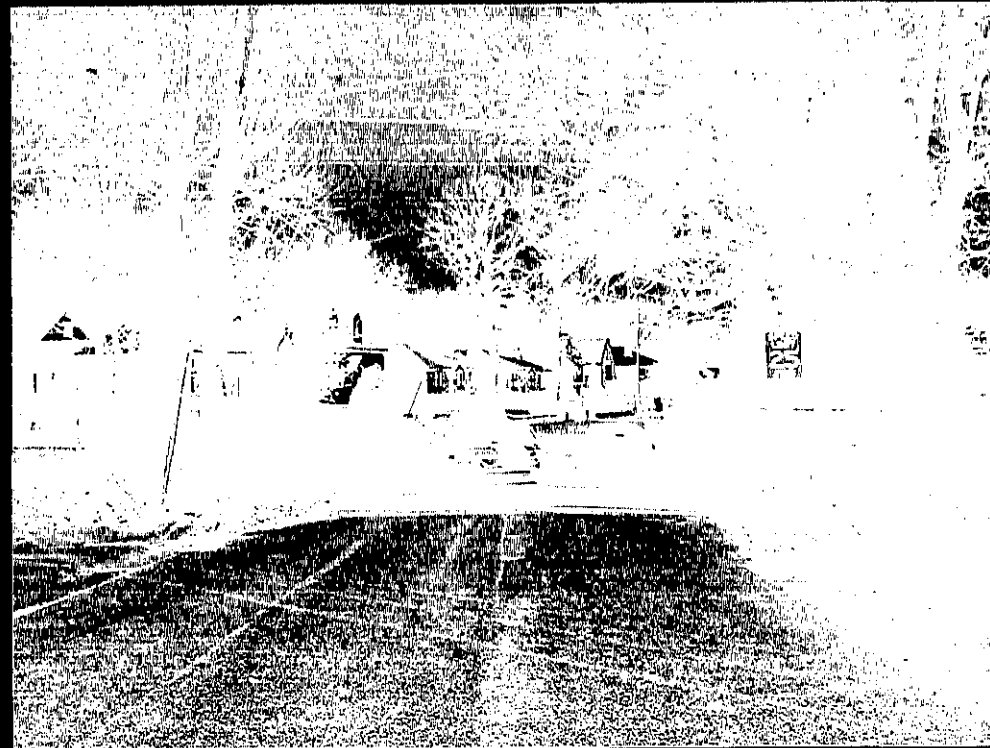
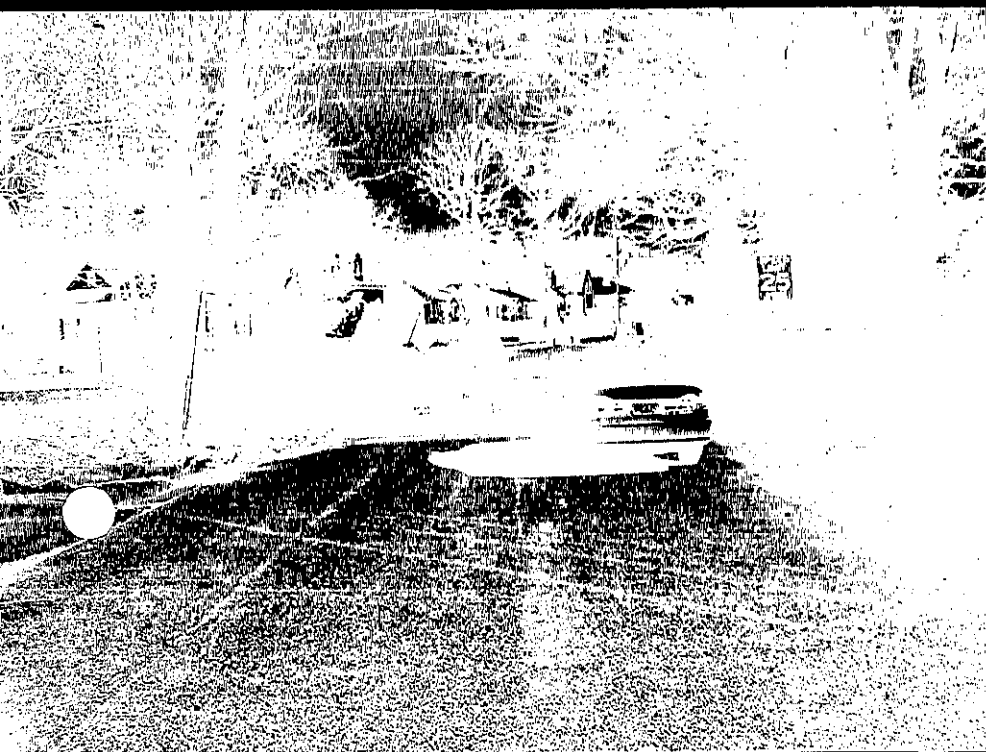
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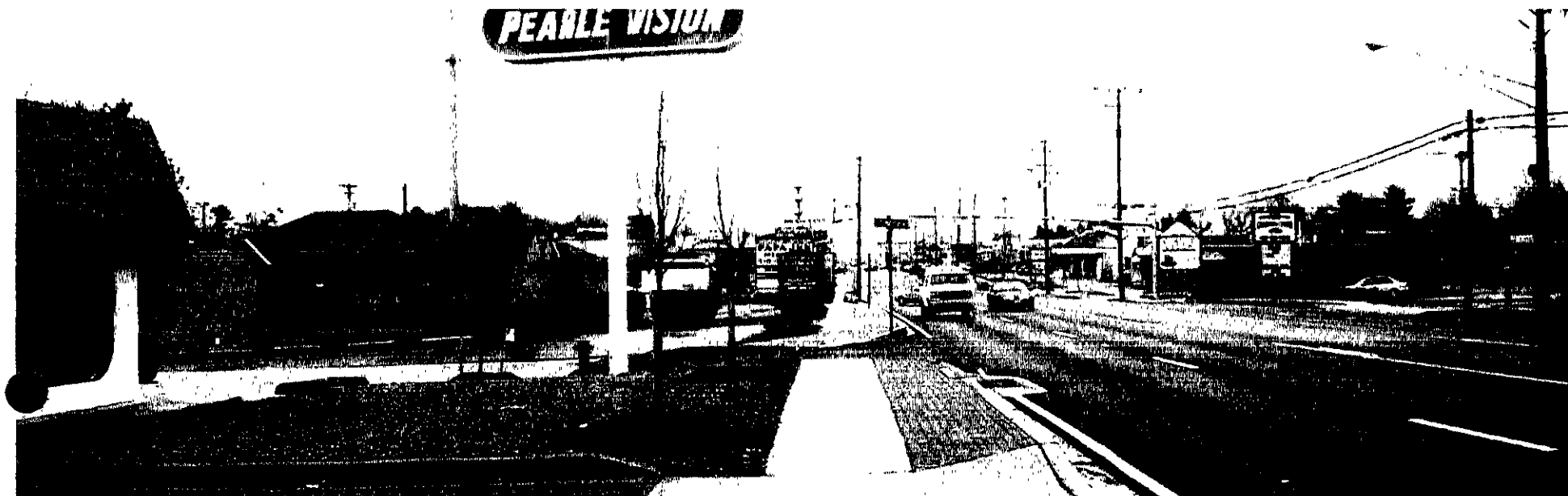
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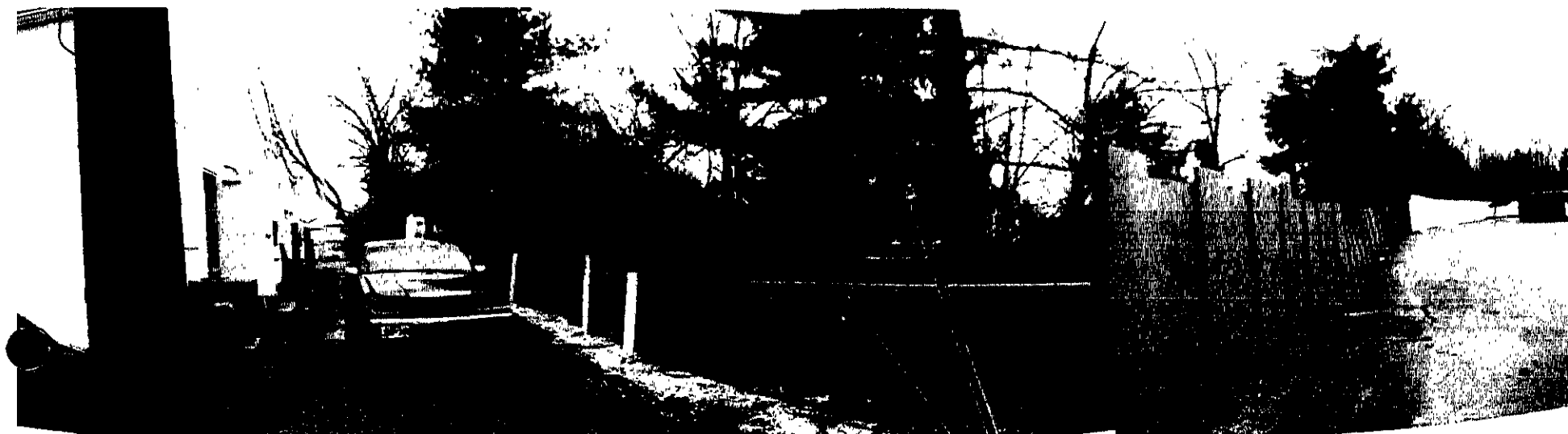
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Pet 2A



Pet Ex 2B



2c



2D



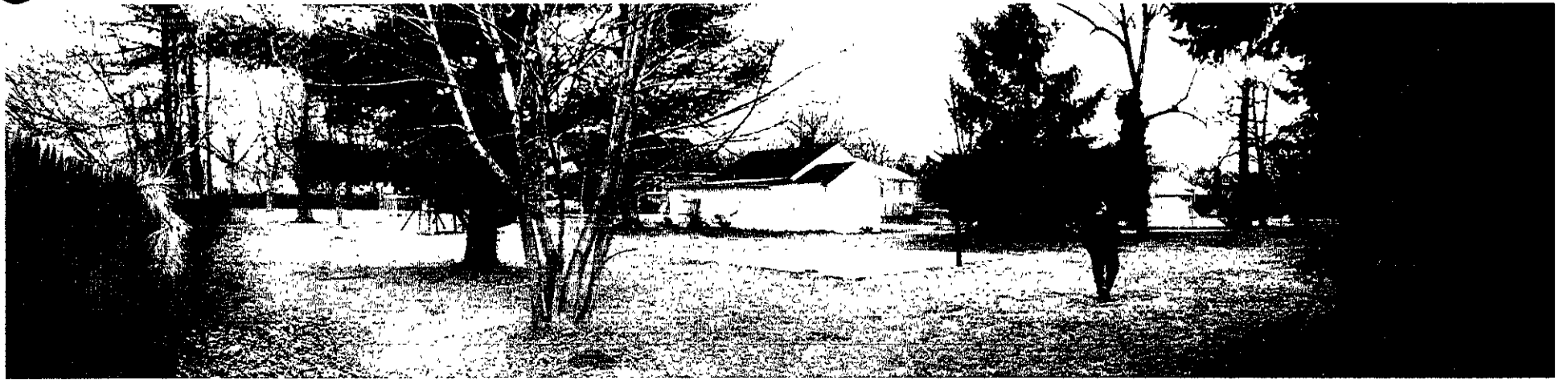
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2F



2H





21



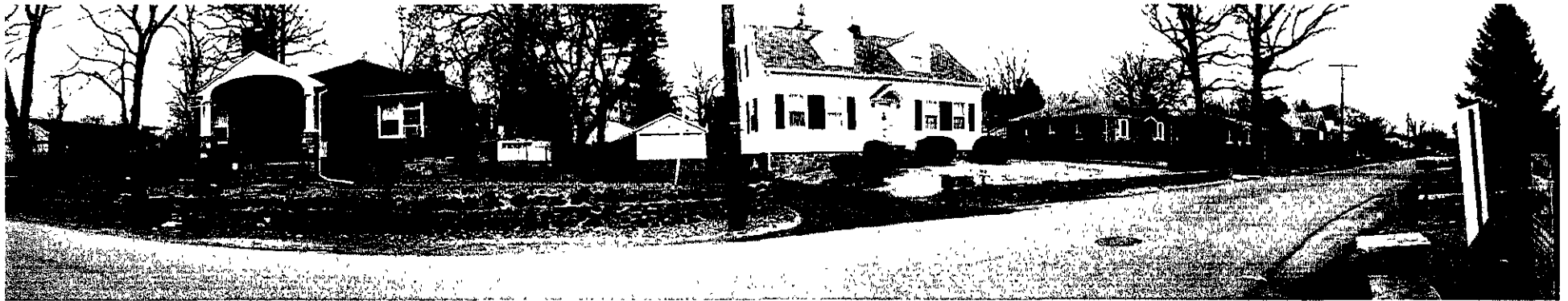
25



ZONING NOTICE
CASE # 11-251 XA
**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**
PLACE 10000 40th COURT
DATE AND TIME THURSDAY MARCH 2002 8:00 AM
REQUEST FOR AN EXCEPTION AND VARIANCE
FROM THE ZONING CODE TO ALLOW A
SMALLER LOT TO BE USED AS A
RECREATION LOT. THE REQUEST IS
FOR A VARIANCE TO THE ZONING
CODE TO ALLOW A SMALLER LOT
TO BE USED AS A RECREATION
LOT. THE REQUEST IS FOR A
VARIANCE TO THE ZONING CODE
TO ALLOW A SMALLER LOT TO
BE USED AS A RECREATION LOT.
FOR MORE INFORMATION, PLEASE
CONTACT THE ZONING COMMISSIONER
AT 410-512-1234.
HANDICAPPED ACCESSIBLE

ZONING NOTICE
CASE # 11-251 XA
**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**
PLACE 10000 40th COURT
DATE AND TIME THURSDAY MARCH 2002 8:00 AM
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TO ALLOW A SMALLER LOT TO
BE USED AS A RECREATION LOT.
FOR MORE INFORMATION, PLEASE
CONTACT THE ZONING COMMISSIONER
AT 410-512-1234.
HANDICAPPED ACCESSIBLE

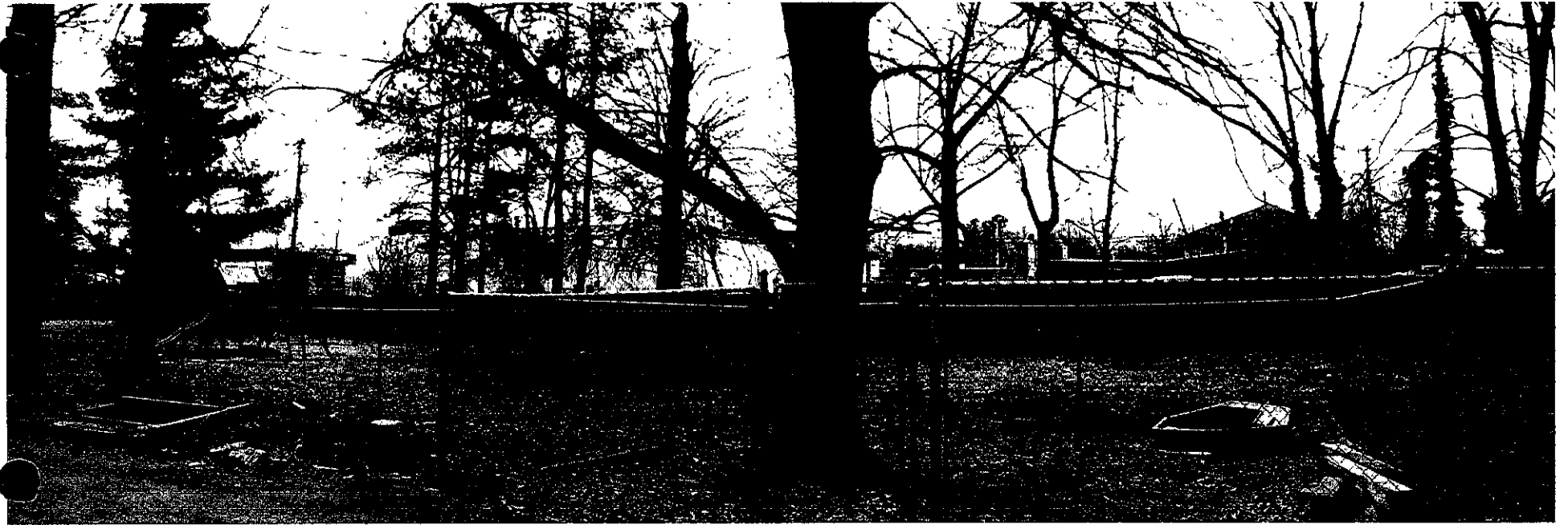
OK



26



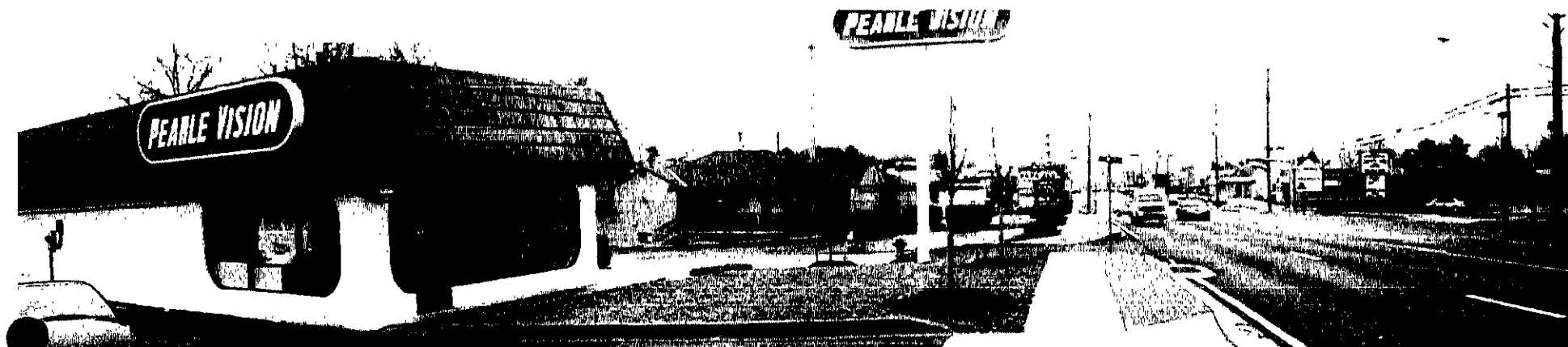
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2N



20



2P

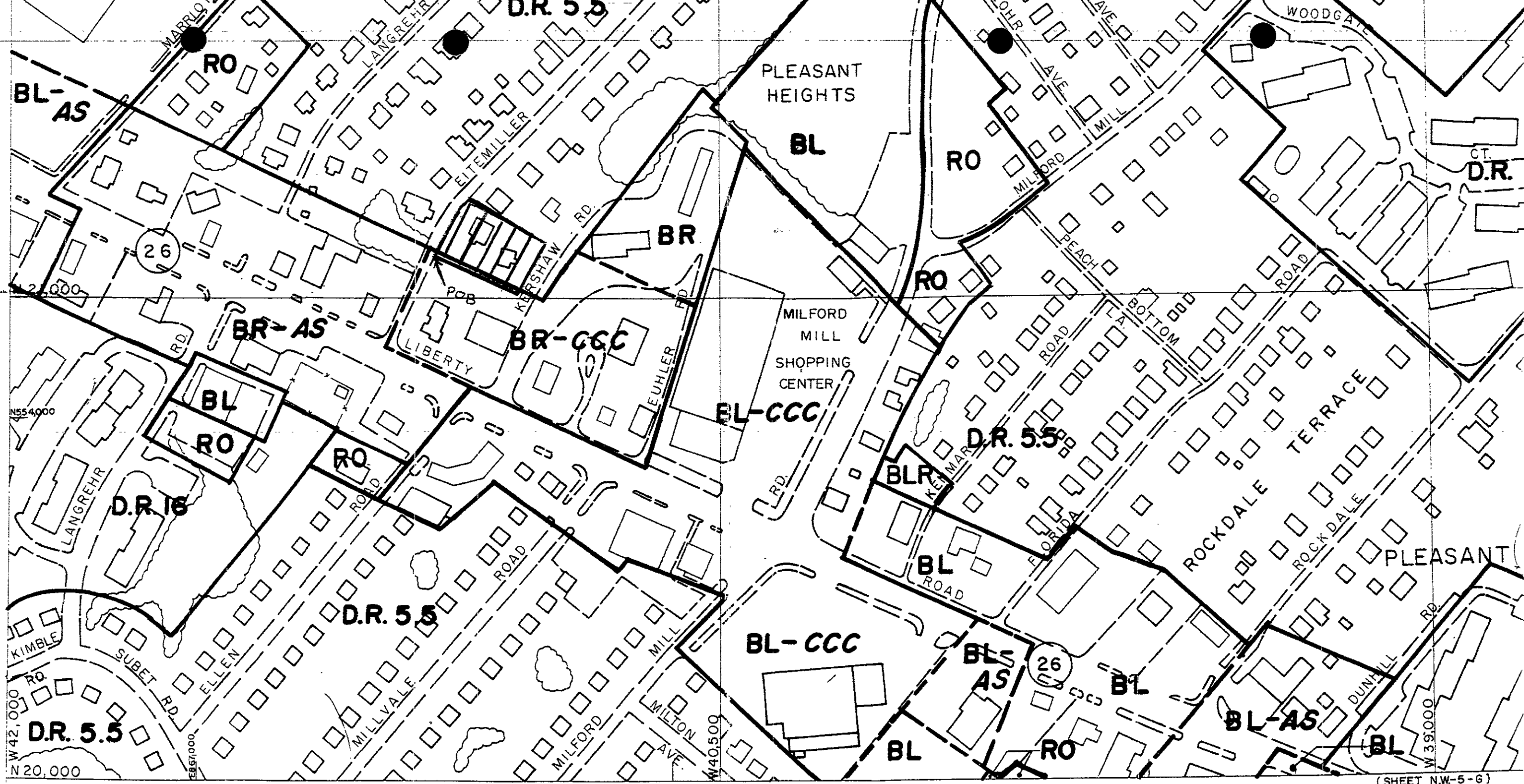


2Q



26





P - SE - NW 6G

ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000

Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00

Joseph R. Battaglia
Chairman, County Council

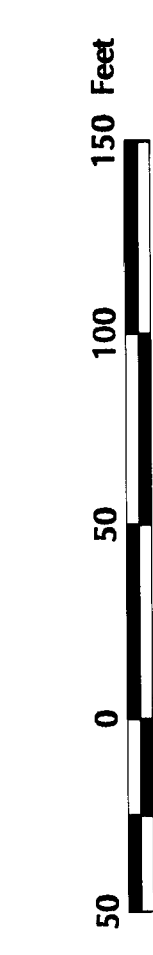
THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE C
OFFICE OF PLANNING
OFFICIAL ZON

Item #251



DATA SOURCE
DAVIDSON COUNTY OFFICIALS
NAD 83 NAVD88
DATE OF CAPTURE: MARCH 1995
ZONING LINES ARE APPROXIMATE
NOT TAKEN FROM OFFICIAL 200' SCALE ZONING MAPS.



DMAW PROJECT NO. 01072.00
3613 EITMILLER ROAD

DMAW
DAVID M. AUSTIN & ASSOCIATES, INC.
200 West Peachtree Street, Suite 200
Atlanta, Georgia 30308
404.525.1234
www.dmaw.com

Set Ex #3

GENERAL NOTES:

1. OWNER: JEFFERY AND MENDY JOYON
2. OWNER'S ADDRESS: 565 EITHELBER ROAD , BALTIMORE MD 21244
3. PROPERTY ADDRESS: 565 EITHELBER ROAD (PLAT 7 TOLD 89 : LOTS 19-24 AND 46)
4. ELECTION DISTRICT 2 CONGRESSIONAL DISTRICT 2LOT SIZE: 23,900 SQ.FT. OR .654 ACRES
5. SCALE IS 1" = 20'
6. EXISTING USE: SINGLE FAMILY RESIDENCE WITH ACCESSORY BUILDING (GROUP CHILD CARE CENTER)
7. THERE HAVE BEEN NO PREVIOUS ZONING HEARINGS OR DIS ADVISORY DEVELOPMENT PROCESS ACTIONS ON THIS PROPERTY, NO COMMERCIAL PROJECTS HAVE BEEN SUBMITTED ON THE PROPERTY WITHIN THE LAST 5 YEARS.
8. PROPERTY IS LOCATED ON THE 1+/-20' SCALE ZONING MAP 2-6.
9. THE PROPERTY'S ZONING CLASSIFICATION IS R 5X AND BK-45
10. THE PETITIONER IS REQUESTING A SPECIAL EXCEPTION TO PERMIT A GROUP CHILD CARE CENTER (CLASS B) AS A PRINCIPAL USE FOR MORE THAN 40 CHILDREN (4) IN AN R ZONE AND VARIANCES TO PERFORM A LOT SIZE OF .654 AC. IN LIEU OF 1.01 A, SIDE SETBACK OF 15 FT. IN LIEU OF 30 FT., SIDE BUFFERS OF 0 FT. IN LIEU OF 20 FT., REAR SETBACK OF 42 FT. IN LIEU OF 50 FT. IN LIEU OF 30 FT., REAR BUFFER OF 0 FT. IN LIEU OF 20 FT., PARKING SPACES WITH DIRECT ACCESS TO A DRIVEWAY IN LIEU OF A DRIVEWAY AND ALSO DETERMINE UNDER THE SPECIAL EXCEPTION THAT FTA HEIGHT SHALL NOT EXCEED 25 FEET.
11. THE BUILDING WILL NOT EXCEED 35 FT. IN HEIGHT.
12. MAXIMUM CHILDREN - 41; REQUIRED LOT SIZE - 44,000 SQ.FT. OR 1.01 AC.
13. SINGLES WILL COMPLY WITH SECTION 450 OF THE Z.O.C.R.
14. FR. - N/A
15. ADJ. - N/A
16. MINIMUM REQUIRED LOT SIZE IS CALCULATED BY 1/4 AC. FOR FIRST 40 CHILDREN + 500 SQ.FT. FOR EVERY CHILD OVER 40 CHILDREN (35500+.500=44000) SQ. FT. FOR 41 CHILDREN (OR 1.01 AC.).
17. UTILITIES LOCATED IN EITHELBER ROAD ARE PUBLIC.
18. REQUIRED PARKING: 1 SPACE / 15 EMPLOYEE ON LARGEST SHIFT
19. EMPLOYEES ON LARGEST SHIFT = 5 SPACES REQUIRED.
20. SPACES PROVIDED:
21. OUTDOOR PLAY SPACE ADJOINING RESIDENTIAL PROPERTY SHALL BE FENCED WITH SOLID WOOD STOCKADE OR PANEL MATERIAL, FENCES WILL BE A MINIMUM HEIGHT OF FIVE FEET AND BE A MINIMUM DISTANCE OF TWENTY FEET FROM THE PROPERTY LINE.

EXISTING
BUILDING
COMMERCIAL -
APPROXIMATE
LOCATION)

POSSIBLE NEW FENCE
TO REPLACE EXISTING
FENCE AND WALLS

**EXISTING
RESIDENCE**

**EXISTING
RESIDENCE**

✓ Pipe Failure

MARRIO

LANE

10

VICINITY MAP
SCALE: 1" = 1000'

1

PETITIONERS

TX

DATA SOURCES:
LOCATION SURVEY BY DMW IN

DAW

Dr. McCune-Walker, Inc.
800 East Pennsylvania Avenue
Tucson, Kentucky 41286
(410) 286-3553
Fax 286-4705

**A Team of Land Planners
Landscape Architects
Golf Course Architects
Engineers, Surveyors
Environmental Professionals**



PLAN TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION AND / OR VARIANCE

3613 EITEMILLER ROAD

FOR THE PRINCIPAL USE OF A GROUP
CHILD CARE CENTER IN A DR ZONE

2nd COUNCILMANIC DISTRICT
2nd ELECTION DISTRICT BALTIMORE COUNTY,

DATE	BY	REVISIONS
03/01/02	MAK	ADD NOTES, REVERSE ENTRANCE & SHOW FENCE


[illegible]

REVIEW:	_____	DRAWN:	_____	KDE
BID:	_____	DESIGNED:	_____	
PERMIT:	_____	CHECKED BY:	<i>mstK</i>	
CONSTRUCTION:	_____	DATE CHECKED:	<i>3/5/16</i>	
SCALE:	<i>1"=20'</i>	DRAWING:		
PROJECT NO.:	<i>01072</i>			

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japuxox@ow MW 03:15:48 20/5/02 japuxox@

